

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:20-cv-00452-AMD-VMS**

Tenemaza v.Eagle Masonry Corp. et al
Assigned to: Judge Ann M Donnelly
Referred to: Magistrate Judge Vera M. Scanlon
Cause: 29:201 Denial of Overtime Compensation

Date Filed: 01/27/2020
Jury Demand: Plaintiff
Nature of Suit: 710 Labor: Fair Standards
Jurisdiction: Federal Question

Plaintiff

Segundo Francisco Tenemaza
*Individually and on behalf of all others
similarly situated*

represented by **James Patrick Peter O'Donnell**
80-02 Kew Gardens Road
Suite 601
Kew Gardens, NY 11415
718-263-9591
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defendant

Eagle Masonry Corp.

Defendant

Vito Gargano
as an individual

Date Filed	#	Docket Text
01/27/2020	<u>1</u>	COMPLAINT against Eagle Masonry Corp., Vito Gargano Was the Disclosure Statement on Civil Cover Sheet completed -No., filed by Segundo Francisco Tenemaza. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons) (Rodin, Deanna) (Entered: 01/29/2020)
01/27/2020		FILING FEE: \$400, receipt number ANYEDC-12301339 (Rodin, Deanna) (Entered: 01/29/2020)
01/29/2020		Incorrect Document Entry Information. Defendants were added to the case incorrectly;

		docket entry 1 was deleted and re-entered against corrected defendants. Additionally, documents for a different case were added by counsel; contacted counsel to retrieve the correct documents and refiled. (Rodin, Deanna) (Entered: 01/29/2020)
01/29/2020	<u>2</u>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made. Additionally, case is reassigned to Office Code 1: Brooklyn as per civil cover sheet Rule 50.1(d)(2). (Rodin, Deanna) (Entered: 01/29/2020)
01/29/2020		Case Assigned to Judge Ann M Donnelly and Magistrate Judge Vera M. Scanlon. Please download and review the Individual Practices of the assigned Judges, located on our <u>website</u> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Davis, Kimberly) (Entered: 01/29/2020)
01/29/2020	<u>3</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that if all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Davis, Kimberly) (Entered: 01/29/2020)
01/29/2020	<u>4</u>	Summons Issued as to Eagle Masonry Corp., Vito Gargano. (Davis, Kimberly) (Entered: 01/29/2020)
01/31/2020	<u>5</u>	NOTICE of Appearance by James Patrick Peter O'Donnell on behalf of Segundo Francisco Tenemaza (aty to be noticed) (O'Donnell, James) (Entered: 01/31/2020)
02/20/2020	<u>6</u>	SUMMONS Returned Executed by Segundo Francisco Tenemaza. Vito Gargano served on 2/12/2020, answer due 3/4/2020. (Avshalumov, Roman) (Entered: 02/20/2020)
04/14/2020	<u>7</u>	SUMMONS Returned Executed by Segundo Francisco Tenemaza. Eagle Masonry Corp. served on 3/16/2020, answer due 4/6/2020. (Avshalumov, Roman) (Entered: 04/14/2020)
04/15/2020		STATUS REPORT ORDER: Defendants have failed to timely answer or otherwise respond to the Complaint. Defendants must answer by 5/15/2020. If Defendants fail to answer, Plaintiff must request a Certificate of Default in accordance with FRCP 55 and Local Civil Rule 55.1 by 6/15/2020. Plaintiff is to mail a copy of this Order and the full docket to Defendants, and Plaintiff's counsel must file an affidavit of service by 4/20/2020. Ordered by Magistrate Judge Vera M. Scanlon on 4/15/2020. (Quinlan, Krista) (Entered: 04/15/2020)

PACER Service Center			
Transaction Receipt			
04/21/2020 12:13:02			
PACER Login:	romanavshalumov	Client Code:	
Description:	Docket Report	Search Criteria:	1:20-cv-00452-AMD-VMS
Billable Pages:	2	Cost:	0.20

Affirmation of Service

STATE OF NEW YORK :

ss.:

COUNTY OF QUEENS:

ROMAN AVSHALUMOV, an attorney duly admitted to practice law in the District Court for the Eastern District of New York affirms the truth of the following under penalty of perjury: I am not a party to the action, am over the age of eighteen (18) years and reside in Queens, New York. On April 21, 2020, I served the within:

Copy of April 15, 2020 Order and Full Docket

by depositing a true copy thereof in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name:

**EAGLE MASONRY CORP.
1535 RICHMOND AVENUE
STATEN ISLAND, NEW YORK 10314**

**VITO GARGANO
1535 RICHMOND AVENUE
STATEN ISLAND, NEW YORK 10314**

**VITO GARGANO
160 COVINGTON CIRCLE 2
STATEN ISLAND, NEW YORK 10312**

Dated: Kew Gardens, NY
April 21, 2020

/s/Roman Avshalumov
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